

**Section III:**  
**AMENDMENT UNDER 37 CFR §1.121 to the**  
**DRAWINGS**

No amendments or changes to the Drawings are proposed.

**Section IV:**  
**AMENDMENT UNDER 37 CFR §1.121**  
**REMARKS**

**Rejections under 35 U.S.C. §101**

In the Office Action, claims 11 - 20 were rejected under 35 U.S.C. §101 for lacking:

*Examiner in the Office Action:*

" . . . appropriate computer readable storage medium to define a structural and functional interrelationship between a computer program and other elements of a computer which permit the functionality of the computer program to be realized."

Applicant hereby amends claims 11 - 20 to recite a computer readable medium in the body of the claim. Reconsideration is requested.

**Rejections under 35 U.S.C. §102(e)**

In the Office Action, claims 1 - 30 were rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 7,089,287 to Bellotti, *et al.* (hereinafter "Bellotti"). Applicant respectfully disagrees with the reasons for rejection and the interpretation afforded to Bellotti's disclosure.

**Clarification Requested - Office Action Appears to be Incomplete.** Regarding Claim 21, there appears to be no explicit rejection or indication of allowability in the Office Action. Claims 1, 11 and 21 are independent claims. For the purposes of this reply, Applicant responds as if Claim 21 were rejected under the same reasoning as Claims 1 and 11.

Regarding Claims 4, 14, and 24, the Office Action does not include any citations or reasons for rejection, but it does quote the language of the claims (last paragraph on pg. 3 through first paragraph on pg. 4).

Applicant respectfully requests clarification of the status and reasons for rejection in the next Office Action. If, after consideration of the present amendment and reply these claims are not considered allowable, Applicant requests that the next Office Action not be made final in

order that the Applicant may have the opportunity to consider and respond to the rejections of claims 4, 14, 21, and 24.

**Independent Claims 1 and 11.** Bellotti appears to be directed towards a tool or program to automate communications relative to tasks to be managed and done, where the "tasks" are things that must be performed by humans (*"Items due action" in fig. 11; "due" column in fig. 14; "deadline" for "action" in fig. 17*). Bellotti's system automates this task management through automation of reminder messages, task assignment messages, and deferral of lower priority tasks for later reminders, updates, etc. Thus, Bellotti's "participants" are message recipients and message senders/authors who are associated with tasks that need to be completed or finished (*"These will be people to whom an action is owed or from whom an action is expected" in col. 17, lines 27 - 28*).

Applicant's invention, however, is not directed towards such task management, but instead is directed towards management of related messages which have been disseminated over time in a tree-like organization. Applicant's historical While both Bellotti and Applicant's inventions are message-based, there are considerable differences between them due to their differing objectives.

(1) Tree-organized messages are different from Thread-organized messages. Applicant's invention applies to sets of messages which have been created through a process of authoring a first message (the "origin"), replying to the message to multiple co-recipients and/or the author, and forwarding of messages from recipients to additional recipients. The relationships of such a message set forms a tree-like hierarchy.

Bellotti, however, is drawn from a different problem area in which tracking of to-do items (e.g. open action items) is performed through thread-based messaging (col. 3 lines 36, *et seq.*), where Bellotti defines a new term "thrask" to be a type of thread. Likewise, Bellotti's new term "thrask" is an amalgam of the term "thread" and "task". (*"A thread is a cross between a task and a thread" at col. 3 line 60*).

Message threads are well-known to be fundamentally different organizations of messages than tree-organized sets of messages.

Dictionary:

**thread** 1. In on-line discussions, a series of message that have been posted as replies to one another. A single forum or conference typically contains many threads covering different subjects. By reading each message in a thread, one after the other, you can see how the discussion has evolved. You can start a new thread by posting a message that is no a reply to an earlier message. (Source: *Random House Webster's Computer and Internet Dictionary*, Third Edition, by Philip Margolis, 1999, pg. 558)

Applicant's three metadata tags (OriginGUID, ParentGUID, SelfGUID) in their message set allow for complete recreation of the tree-hierarchy of their message set. An OriginGUID records the root message - the topmost message in the tree. In a threaded message set, this might compare to the first message in the thread. But, similarities end at this point.

In Applicant's tree-message structure, the first message is sent to multiple recipients, creating the first sub-level of the tree. Each of those recipients can then respond to the author (back to the topmost level of the tree), respond to some or all of the co-recipients (lateral across the same level of the tree), and/or forward the message to additional recipients (creating a third level of the tree). But, other "participants" in the tree cannot see other messages which were not specifically addressed to them.

This multi-level tree structure is not created in a "thread" because in a thread, all messages are sequenced by time of posting, and generally speaking, all recipients receive or see all postings from all other "members" of the group. Chat groups and usenets newsgroups are thread-based, for example.

Applicant has disclosed the present invention is useful and applicable to historical tree-based organizations (*see para. 0036*) of related messages which either are created originally as a tree, or evolve from widening of a thread by thread participants starting side discussions outside the thread. Applicant has specifically distinguished the invention as not needing thread tracking (*see para. 0077*).

Applicant hereby amends claims 1, 11 and 21 to recite operation on a non-thread historical tree message hierarchy, which is not disclosed by Bellotti. Applicant respectfully submits that it would not be obvious to modify Bellotti to operate on non-thread, historical trees of messages because Bellotti would be inoperative and undesirable for its own objectives with such a modification.

(2) GUID is "unique" throughout the network whereas Bellotti is Silent regarding GUIDs. By "GUID", Applicant means an identifier which is guaranteed to be unique within the communications network (*see para. 0047*) Bellotti's identifiers are not "guaranteed" unique, but instead are presumed to be unique, such as an email address (col. 19, lines 1 - 2). Bellotti is silent regarding use or generation of a guaranteed ID.

(3) Tracking Completion of "Tasks" is not the Same as Historical Participation Analysis of Message Contribution. By "historical participation analysis", Applicant means analysis of contribution or non-contribution by the addressees of the messages to the set of messages in the non-thread tree structure (e.g. who has submitted messages versus who has simply received but not replied to messages) (*see paras. 0033, 0040, 0082 - 0091*).

Bellotti is silent regarding the term "participation", but does disclose completion of tasks, which is not the same as historical level of involvement through submission of messages. In Bellotti's system, one could complete a task without submitting a message, or submit a message without completing a task, which demonstrates in a two-way manner that completion of tasks and participation in the message-based discussion are independent dimensions of each other.

Further, Bellotti's disclosure is silent regarding the terms "passive" and "inactive", whereas these are terms related to the level of engagement in the conversation (e.g. passive being those who listen or receive messages but don't reply or add to the discussion), and whereas Bellotti is not concerned with message participation but is concerned with task completion.

Claims 2 - 10, 12 - 20, and 22 - 30. Applicant respectfully submits that all the remaining claims which depend from Claims 1, 11 or 21 further define patentable matter when the foregoing definitions and meanings are afforded the claim steps, elements, and limitations, and about which Bellotti is silent.

**Request for Indication of Allowable Subject Matter**

Applicant believes the present amendment all reasons for rejection, and places the claims in condition for allowance. If, for any reason, it is believed that the claims are not in a condition for allowance, Applicant respectfully requests constructive recommendations per MPEP 707.07(j) II which would, in the Examiner's opinion, place the claims in condition for allowable condition without need for further proceedings.

Respectfully,

*/ Robert Frantz /*

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